

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"



Tim Gallagher, Director

April 20, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ANNEXATION OF TERRITORY INTO
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT
NO. 4, ZONE NO. 65 FAIR OAKS RANCH AND
APPROVAL OF AMENDMENT OF THE EXISTING RATE
AND METHOD OF APPORTIONMENT FOR DISTRICT NO. 4,
ZONE NO. 68 WESTCREEK COPPERHILL VILLAGE AND
ZONE NO. 69 WESTCREEK CANYON ESTATES
(5th District - Three-Vote Matter)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to annex territory into LLA District No. 4, Fair Oaks Ranch Zone No. 65, Annexation 2; and order the levying of an assessment for this annexation for Fiscal Year 2004-05; and order an amendment of the existing rate and method of apportionment within LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for annual cost of living adjustments and to change the basis for determining assessments from a per parcel basis to an equivalent dwelling unit basis, pursuant to the provisions of the Landscaping and Lighting Act, Part 2 of Division 15 of the Streets and Highways Code of the State of California, ("the Act") and as provided by Article XIID of the California Constitution.
2. Set the public hearing date for: (1) the proposed annexation and levying of the proposed assessment and (2) the amendment to the rate and method of apportionment as specified in Section 22625 of the Streets and Highways Code.

3. Approve and file the enclosed Engineer's Reports prepared in accordance with Article 4 (commencing with Section 22565 of Chapter 1 of Part 2 of Division 15) of the Streets and Highways Code for the proposed annexation of territory and levy of assessments for landscape and park maintenance purposes for LLA District No. 4, Zone No. 65, Annexation 2 (to be known as Fair Oaks Park), and for the proposed amendment to the existing rate and method of apportionment in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates to allow for annual cost of living adjustments to the assessments and method for determining assessments, pursuant to provisions of the Act.
4. Instruct the County Engineer and Assessor to review the boundary description of the territory to be annexed into LLA District No. 4 and instruct the County Engineer to report on the district boundary as required by Section 58850 et seq. of the Government Code.
5. Instruct the Executive Officer to give notice of the public hearings and to mail ballots to property owners at least 45 days prior to the date of the hearings.

IT IS FURTHER RECOMMENDED THAT, AT THE CONCLUSION OF THE PUBLIC HEARING, YOUR BOARD:

1. Instruct the Executive Officer to manage the tabulation of assessment ballots submitted, and not withdrawn, in support of or in opposition to the proposed annexation of territory and levy of assessments for LLA District No. 4, Fair Oaks Ranch, Zone No. 65, Annexation 2 (Fair Oaks Park), and determine whether the ballots submitted in favor of the assessments in the Zone exceed those submitted in opposition.
2. Instruct the Executive Officer to manage the tabulation of ballots submitted, and not withdrawn, in support of or in opposition to the proposed amendment to the existing rate and method of apportionment to allow for annual cost of living adjustments to the assessment and to change the method for determining assessments in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates, and determine whether the ballots submitted in favor of the amendment in each Zone exceed those submitted in opposition.

3. Find that the actions are exempt from the California Environmental Quality Act (CEQA).
4. Find that the territory to be annexed into LLA District No. 4 will be benefited by such annexation, and order the boundary of LLA District No. 4 to be altered to include such territory.
5. Order changes in any of the matters provided in the Reports, including changes in the improvements, the proposed diagrams, or the proposed assessments as described in the Engineer's Reports if needed.
6. For the territory to be annexed, if the ballots submitted in favor of the annexation assessments exceed those in opposition, adopt the "Resolution Ordering the Annexation of Territory into LLA District No. 4 and the Levying of an Assessment for the Annexed Territory for Fiscal Year 2004-05", confirming the diagrams and assessments, either as originally proposed or changed by it, and ordering the maintenance and operation work to be done for the annexation. The adoption of this resolution shall constitute the levy of assessments for the fiscal year referred to in the Engineer's Report.
7. For the amendment to the rate and method of apportionment, if the ballots submitted in favor of the amendment exceed those in opposition, adopt the "Resolution Ordering the Amendment to the Rate and Method of Apportionment for Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates" confirming the amendment, either as originally proposed or changed by it. The adoption of this resolution shall constitute the approval of the amendment as referred to in the Engineer's Report.
8. Designate the Director of the Department of Parks and Recreation to accept, on behalf of LLA District No. 4, the Grants of Easement to designated areas and open space pursuant to the tract conditions approved for the annexation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

These recommended actions would annex additional territory into LLA District No. 4; amend the existing rate and method of apportionment for Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates; set a date for a public hearing regarding the establishment of the Fiscal Year 2004-05 annual assessment for the annexed area to provide landscape and park maintenance services subject to the requirements of Proposition 218; set a date for a public hearing for the amendment to the existing rate and method of apportionment subject to the requirements of Proposition 218; and approve and file the enclosed Engineer's Reports. These actions are pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California, pursuant to the provisions of Article XIID of the California Constitution, and provide funding for the operation of the aforementioned County-administered District Zones.

The Resolution of Intention to annex territory, and to levy and collect assessments, is limited to the proposed annexation area in LLA District No. 4, Fair Oaks Ranch Zone No. 65, Annexation 2 (Fair Oaks Park) for Fiscal Year 2004-05.

The Resolution of Intention to amend the rate and method of apportionment is limited to LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates.

Another Board letter and Resolution of Intention will be filed to set a date for a public hearing to establish the annual per parcel direct assessment for the remaining existing Zones within LLA Districts Nos. 1, 2 and 4 in accordance with the Act and Article XIID of the California Constitution.

LLA District No. 4, Fair Oaks Ranch Zone No. 65 Annexation 2 (Fair Oaks Park)

Pardee Homes, developer of the unincorporated area known as Fair Oaks Ranch (Tract No. 52833-03 and the remainder of Tract 52833) has requested the annexation of approximately 6.5 acres into LLA District No. 4, Fair Oaks Ranch Zone No. 65, to be known as Annexation 2 (Fair Oaks Park).

The proposed annexation of this territory will provide the method to raise funds for the maintenance and servicing of park and landscaping improvements. These improvements may include, but are not limited to: shrubs, turf, trees, automated irrigation system, concrete walkways, two tot lots and equipment, basketball and volleyball courts, picnic facilities, bridging and fencing, restrooms and appurtenant facilities.

LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone and Zone No. 69 Westcreek Canyon Estates

Newhall Land, developer of the unincorporated area known as Westcreek Copperhill Village (Tract No. 52455-01, Area C) and Westcreek Canyon Estates (Tract 52455-02, Area A and Tract 52455-03, Area B) has requested an amendment to the existing rate and method of apportionment to allow for annual cost of living increases to the assessment and to amend the method of determining assessments from a per parcel basis to an equivalent dwelling unit basis.

The proposed amendment will allow for annual cost of living increases to the assessment, based on the Consumer Price Index. Collecting on an equivalent dwelling unit basis allows for a more equitable assessment based on land use type.

On July 12, 1979, August 10, 1995 and July 22, 1997, your Board approved the formation of County Valencia Area-Wide and Lighting Act (LLA) District No. 1, and County LLA District Nos. 2 and 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered Landscaping and Lighting Act Districts and Zones therein pursuant to provisions of the Act. As the governing body, the Board of Supervisors is responsible for levying the annual assessment for landscape and park maintenance purposes.

On June 12, 1979, your Board approved a method of distributing maintenance costs on the basis of land use and/or benefit and this same method will be used to compute the Fiscal Year 2004-05 assessments. This method and the proposed assessments on the various lots or parcels are shown in detail in the Engineer's Reports.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goals of Fiscal Responsibility (Goal Four), Service Excellence (Goal One), and Children and Families Well Being (Goal Five). These recommendations, in compliance with the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution, will allow the County to service and maintain the park, landscaping and appurtenant facilities that benefit those that live within these zones.

FISCAL IMPACT/FINANCING

Services provided in the Districts, and Zones therein, are funded by the assessments established by the Board of Supervisors. There is no fiscal impact to the General Fund.

The recommended new annual assessment of \$164 per Equivalent Dwelling Unit (EDU) for LLA District No. 4, Fair Oaks Ranch, Zone No. 65, Annexation 2 (Fair Oaks Park) will provide the funds needed for maintenance, servicing and administrative costs associated with the improvements during Fiscal Year 2004-05.

Commencing with Fiscal Year 2005-06, the assessment may be increased annually for inflation based on the Consumer Price Index, All Urban Consumers for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, this Department shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Landscaping and Lighting Act ("the Act") sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution have established procedures that must be followed for the levy of any new or increased assessments. The Act requires that the legislative body adopt a Resolution Initiating Proceedings, and generally describe any proposed improvements or substantial changes in existing improvements.

The legislative body also must order the Director of the Department of Parks and Recreation to have prepared and filed an Engineer's Report in accordance with Section 22565 et seq. of the Streets and Highways Code. The report will show an estimate of, and a proposed assessment to pay for, the costs of providing landscape and park maintenance services. The Act provides a method of funding an assessment district with assessments being collected via the consolidated tax bill. This provides for the assessment of landscape and park maintenance costs against the benefiting properties.

Proceedings for the annexation of territory to an existing Los Angeles County LLA District under the Act are initiated by Resolution pursuant to Section 22608 of the Streets and Highways Code and Article XIID, Section 6 of the California Constitution. In annexation proceedings, the Resolution, Report, Notices of Hearing, and Right of Majority Protest are limited to the territory proposed to be annexed.

The passage of Proposition 218 in November 1996 added Articles XIIC and XIID to the California Constitution. Article XIID contains additional requirements to those found in the Act that must be followed for the levying of new or additional assessments and the filing of the Engineer's Report. Fair Oaks Ranch, Zone No. 65, Annexation 2 (Fair Oaks Park), Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates require assessment ballots to approve the new assessment and amendments, respectively.

Your Board is required to conduct a public hearing upon the proposed assessment and adjustments not less than 45 days after mailing notices to the property owners. The developer of the proposed annexation area and the developer of the zones proposed for the rate of apportionment amendment are the owners of the properties and have provided written petitions requesting the proposed actions. A notice and ballot will be mailed to each property owner within LLA District No. 4, Fair Oaks Ranch, Zone No. 65, Annexation 2 (Fair Oaks Park) and Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates, in compliance with Article XIID of the California Constitution.

Any new or additional assessment that is subject to the notice and hearing provisions of Article XIID of the California Constitution is not subject to the notice and hearing requirements of Government Code Section 54954.6.

Pursuant to the approved tentative tract conditions, the developer is required to install the improvements, as approved by the District, and grant to the District maintenance easements for designated areas. When the required improvements are completed to the satisfaction of the District and executed Grants of Easement are received, the designated areas will be accepted by the District for maintenance and servicing.

County Counsel has approved the enclosed Resolutions as to form

ENVIRONMENTAL DOCUMENTATION

Approval of the proposed annexation is exempt from the California Environmental Quality Act (CEQA) according to Section 15301 and Subsection 15301 (h) of State CEQA Guidelines. Approval of proposed assessments and adjustments is exempt from CEQA, according to Section 15273(a)(1)(2)(3)(4) of State CEQA Guidelines because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies. Approval of the assessments is also exempt from CEQA because it is for the purpose of (1) meeting operating expenses including employee wage rates and fringe benefits, (2) purchasing and leasing supplies, equipment or materials, (3) meeting financial reserve needs and requirements and/or (4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080(b) 8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of these recommendations will be a benefit to the Fair Oaks Ranch and Westcreek development communities through the beautification, maintenance and servicing of landscaped medians, park areas and appurtenant improvements.

Honorable Board of Supervisors
April 20, 2004
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CONCLUSION

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, County Counsel and Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Gallagher', with a stylized flourish at the end.

Tim Gallagher
Director

RR:ka:BdLtr2 Fair Oaks Pk-CPI_68 69_4_20_04

Attachments (2)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors (22)

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION OF INTENTION
TO AMEND THE RATE AND METHOD OF APPORTIONMENT
FOR LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT (LLA)
DISTRICT NO. 4, ZONE NO. 68 WESTCREEK COPPERHILL VILLAGE
AND ZONE NO. 69 WESTCREEK CANYON ESTATES AND
TO ANNEX TERRITORY INTO LLA DISTRICT NO. 4 AND
TO ORDER THE LEVYING OF AN ASSESSMENT
FOR THE ANNEXED TERRITORY
FOR FISCAL YEAR 2004-05**

WHEREAS, the Board of Supervisors of the County of Los Angeles previously approved the formation of Los Angeles County Landscaping and Lighting Act (LLA) District No. 4 and Zones therein for the purpose of providing funds for the provision of landscape maintenance services located therein pursuant to the Landscaping and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California (the "Act"); and

WHEREAS, the Board of Supervisors of the County of Los Angeles, on March 30, 2004, adopted a resolution initiating proceedings for annexation of territory into LLA District No. 4, as Annexation No. 2 (Fair Oaks Ranch, Zone No. 65) and the levying of an assessment for landscape and park maintenance purposes for the 2004-05 fiscal year as required by law; and the Board of Supervisors of the County of Los Angeles has approved and filed the Engineer's Report as required by law; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, on March 30, 2004, adopted a resolution initiating proceedings for the amendment of the existing rate and method of apportionment to allow for a cost of living adjustment for LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates as required by law; and the Board of Supervisors of the County of Los Angeles has approved and filed the Engineer's Reports as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to authorize, that this benefited territory be annexed into LLA District No. 4, Fair Oaks Ranch Zone No. 65 as Annexation 2 (Fair Oaks Ranch), (the "annexed territory").

SECTION 2. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to order, that the expense necessary for the installation, maintenance, repairs, replacement, utilities, care, supervision and all other items necessary for proper maintenance and operation of Zone No. 65, Annexation 2, Fair Oaks Ranch within Los Angeles County LLA District No. 4, shall be assessed upon each lot or parcel of land lying within in proportion to the estimated benefits received from the improvements, and which should be assessed to pay the expense of the installation, maintenance and operation of said improvements. The Engineer's Report on file with the Executive Officer-Clerk of the Board of Supervisors describes the boundary of the said annexed territory, the location and improvements within the annexed territory, and the proposed assessment on each lot or parcel of land included therein.

SECTION 3. That the public interest and convenience require, and that it is the intention of said Board of Supervisors to authorize, that the existing rate and method of apportionment be amended for LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates, as contained in the adopted Engineer's Reports.

SECTION 4. That in subsequent fiscal years the Board of Supervisors may thereafter impose the assessment at any rate or amount that is less than or equal to the amount authorized for Fiscal Year 2004-05, increased each year based upon the Consumer Price Index, All Urban Consumers for the Los Angeles-Riverside-Orange County Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, without conducting another mailed ballot election.

The Engineer shall compute the percentage of difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the Board for determining fluctuations in the cost of living.

SECTION 5. That the amounts to be assessed for the expense of such installation, maintenance and operation of the work or improvements above described shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected and shall be disbursed and expended for installation, maintenance, operation and service of this annexed territory, as described in the Engineer's Report and Section 2 of this Resolution.

SECTION 6. That the boundary of the territory proposed to be annexed consists of the areas shown on the approved Engineer's Report.

SECTION 7. That the proposed annexation assessments and amendments are subject to majority approval of the property owners in the proposed annexation area and zones, respectively. A ballot and public hearing notice will be sent to all property owners within the subject areas at least 45 days before the public hearings. The ballots will be weighted by the amount of assessment to be paid by each property owner within each zone. The territory will not be annexed, and the proposed amendment will be abandoned weighted majority of ballots submitted are opposed to the assessments and amendments.

SECTION 8. That the proceedings for the levying of assessments shall be taken under and in accordance with the Landscaping and Lighting Act of 1972 (Division 15, Part 2, of the Streets and Highways Code), and in accordance with Section 53753 of the Government Code and Article XIID of the California Constitution.

SECTION 9. That on _____ at the hour of _____ of said day, is the day and hour, and the Chambers of the Board of Supervisors of the County of Los Angeles, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by said Board of Supervisors when and where any and all persons may hear and be heard

SECTION 10. The Clerk of the Board of Supervisors is hereby authorized and directed to give notice of the public hearings and mail assessment ballots to all property owners within the annexed territory and subject zones as shown on the latest Los Angeles County Assessor Records as set forth in Section 7 in accordance with law and Article XIID of the California Constitution.

The foregoing resolution was on the _____ day of _____, 2004, passed by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Si no entiende esta noticia o necesita mas informacion por favor llame a este numero (800) 636-3535.

VIOLET VARONA-LUKENS,
Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

LLOYD W. PELLMAN

By Francis E. Scott
Francis E. Scott
Principal Deputy County Counsel

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION ORDERING
THE ANNEXATION OF TERRITORY INTO LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NO. 4, AND
THE LEVYING OF AN ASSESSMENT FOR THE ANNEXED TERRITORY
FOR FISCAL YEAR 2004-05**

WHEREAS, the Board of Supervisors of the County of Los Angeles on
adopted a Resolution of Intention to Annex Territory into
Los Angeles County Landscaping and Lighting Act (LLA) District No. 4 and to Order the
Levying of Assessments for the Annexed Territory for Fiscal Year 2004-05; and

WHEREAS, the levying of the assessment is for the purpose of providing funds for
the provision of park and landscape maintenance services in the annexed territory known
as Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, Fair Oaks
Ranch, Annexation 2 (Fair Oaks Park), pursuant to provisions of the Landscaping and
Lighting Act of 1972; and

WHEREAS, the Board has approved and filed the Engineer's Reports as required
by law; and

WHEREAS, the Executive Officer of the Board of Supervisors did cause the notice
of public hearing to be mailed to all property owners within the territory subject to the
proposed annexation and levying of assessments at least 45 days prior to the date set for
the hearing; and

WHEREAS, the Department of Parks and Recreation has mailed an assessment ballot and a notice to property owners of identified parcels within the territory proposed for annexation, pursuant to Article XIID of the California Constitution, to indicate support of or opposition to the matter of the assessment; and

WHEREAS, said Board of Supervisors has heard all testimony and evidence with regard to the annexation and levying of assessments, has tabulated all returned assessment ballots concerning the proposed assessment for said Zone and has made a determination that the majority of ballots returned in favor of the levy exceeds those submitted in opposition, and that no majority protest exists, except for the zone, if any, indicated in Section 3, below.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That this Board hereby finds that the public interest and convenience require the maintenance of the proposed and future park, landscaping and appurtenant improvements located within the boundary of Los Angeles County LLA District No. 4.

SECTION 2. That this Board hereby determines that the levying of an assessment for Los Angeles County LLA District No. 4, Fair Oaks Ranch Zone No. 65, Annexation 2 (Fair Oaks Park) is required to provide the total funding needed to finance the installation and/or maintenance of the existing and future park, landscaping and appurtenant improvements.

SECTION 3. That this Board hereby orders the annexation of additional territory into LLA District No. 4, known as Fair Oaks Ranch Zone No. 65, Annexation 2 (Fair Oaks Park) pursuant to provisions of the Landscaping and Lighting Act of 1972; except where, in the proposed zone, the majority of ballots submitted were in opposition to the assessment; namely _____; and to have the boundaries as set forth in the Engineer's Report adopted on _____; and hereby orders the maintenance and operation work to be done as set forth and described in said Report.

SECTION 4. That this Board hereby determines that the territory identified in the Assessment Diagram of the Engineer's Report will be benefited by annexation to the Los Angeles County LLA District No. 4, Fair Oaks Ranch Zone No. 65, Annexation 2 (Fair Oaks Park), and hereby orders that the boundaries of said District be altered to include such benefited territory.

SECTION 5. That the Landscaping and Lighting Act District diagrams and assessments as set forth in said Reports, or as modified, are hereby approved, confirmed and adopted by this Board.

SECTION 6. That the adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2004 and ending June 30, 2005 for LLA District No. 4, Fair Oaks Ranch Zone No. 65, Annexation 2 (Fair Oaks Park).

SECTION 7. That the amounts to be assessed for the expenses of the installation, maintenance, operation and service as described in said Reports and Resolution shall be levied and collected in the same manner and by the same officers as taxes for County purposes are levied and collected, and shall be disbursed and expended for maintenance, operation, and service of the said Districts, all as described in the Engineer's Reports and the Resolution of Intention.

SECTION 8. That the Executive Officer of the Board of Supervisors is hereby ordered and directed to file a certified copy of the landscape maintenance diagrams and assessments, together with a certified copy of this Resolution upon its adoption, with the County Auditor.

The foregoing resolution was on the _____ day of _____, 2004, passed by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS,

Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

LLOYD W. PELLMAN

By Francis E. Scott
Francis E. Scott
Principal Deputy County Counsel

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS**

**RESOLUTION ORDERING AN AMENDMENT OF THE RATE AND
METHOD OF APPORTIONMENT FOR LOS ANGELES COUNTY
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NO. 4,
ZONE NO. 68 WESTCREEK COPPERHILL VILLAGE AND
ZONE NO. 69 WESTCREEK CANYON ESTATES**

WHEREAS, the Board of Supervisors of the County of Los Angeles on _____ adopted a Resolution of Intention to amend the existing rate and method of apportionment for assessments within LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates; and

WHEREAS, the amendment to the existing rate and method of apportionment is for the purpose of providing funds for the provision of park and landscape maintenance services in the existing Zones known as Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates pursuant to provisions of the Landscaping and Lighting Act of 1972; and

WHEREAS, the Board has approved and filed the Engineer's Reports as required by law; and

WHEREAS, the Executive Officer of the Board of Supervisors did cause the notice of public hearing to be mailed to all property owners within the subject territory to the proposed amendment at least 45 days prior to the date set for the hearing; and

WHEREAS, the Department of Parks and Recreation has mailed an assessment ballot and a notice to property owners of identified parcels within the territory proposed for the amendment to the rate and method of apportionment to allow for annual increases to the assessment, pursuant to Article XIID of the California Constitution, to indicate support of or opposition to the matter of the amendment; and

WHEREAS, said Board of Supervisors has heard all testimony and evidence with regard to the amendment to the rate and method of apportionment, has tabulated all returned assessment ballots concerning the proposed assessment for said Zones and has made a determination that the majority of ballots returned in favor of the levy exceeds those submitted in opposition, and that no majority protest exists, except for those zones, if any, indicated in Section 3, below.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California:

SECTION 1. That this Board hereby finds that the public interest and convenience require the maintenance of the proposed and future park, landscaping and appurtenant improvements located within the boundary of Los Angeles County LLA District No. 4.

SECTION 2. That this Board hereby determines that an amendment in the rate and method of apportionment to allow for annual increases to the assessment in LLA District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates is required to provide the total funding needed to finance the installation and/or maintenance of the existing and future park, landscaping and appurtenant improvements

SECTION 3. That this Board hereby orders the amendment to the rate and method of apportionment for Los Angeles County Landscaping and Lighting Act (LLA) District No. 4, Zone No. 68 Westcreek Copperhill Village and Zone No. 69 Westcreek Canyon Estates, pursuant to provisions of the Landscaping and Lighting Act of 1972; except where, in any of the proposed zones, the majority of ballots submitted were in opposition to the assessment; namely _____; and to have the boundaries as set forth in the Engineer's Report adopted on _____; and hereby orders the maintenance and operation work to be done as set forth and described in said Report.

SECTION 4. That the Executive Officer of the Board of Supervisors is hereby ordered and directed to file a certified copy of the landscape maintenance diagrams and assessments, together with a certified copy of this Resolution upon its adoption, with the County Auditor.


The foregoing resolution was on the _____ day of _____ 2004, passed by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS,
Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

LLOYD W. PELLMAN

By 
Francis E. Scott
Principal Deputy County Counsel

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
SPECIAL DISTRICTS SECTION
31320 CASTAIC ROAD
CASTAIC, CA 913843900

ENGINEER'S REPORT

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK

FISCAL YEAR 2004/2005

Los Angeles County, California

ENGINEER'S REPORT AFFIDAVIT

**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

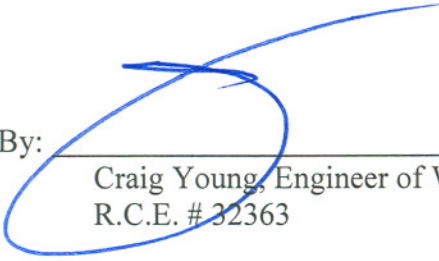
County of Los Angeles, State of California

This Report describes the annexation to the District and all relevant zones and annexations therein, including the improvements, budgets, parcels and assessments to be levied for fiscal year 2004/2005, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Los Angeles County Assessor's maps for a detailed description of the lines and dimensions of parcels within the Annexation. The undersigned respectfully submits the enclosed Report as directed by the Board of Supervisors.

Dated this 8th, day of JUNE, 2004

Sikand Engineering Associates
Project Engineer

By:


Craig Young, Engineer of Work
R.C.E. # 32363



**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

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**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

I. INTRODUCTION

On July 8, 1997, the Board of Supervisors adopted a Resolution approving the consolidation of two (2) County administered LLA Districts into zones within Los Angeles County LLA District 4. The Department of Parks and Recreation currently administers LLA District 4 and its zones, each located within unincorporated Los Angeles County. Zone 65, (Fair Oaks Ranch) for fiscal year 2004/2005 Fair Oaks Ranch, will be annexing additional territory to the zone including Tract 52833-03 and remainder of Tract 52833, located to the northeast of the original Zone 65 as Annexation No. 2 (the "Annexation").

This report is prepared in compliance with the requirements of Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972, (hereinafter referred to as the "Act") which is Part 2, Division 15 of the California Streets and Highways Code. This report considers the annexation of additional territory to the existing area known as Zone 65 (the "Zone"), Fair Oaks Ranch within Los Angeles County LLA District 4 (the "District").

Pursuant to the Act, the Board of Supervisors is the legislative body for the District and Zone, and may initiate annexations and levy annual assessments acting as the governing body for the operations and administration of the District and Zone.

In addition, the Act provides for any annexations to the District or Zone or for the levy of annual assessments after formation of an assessment district and zone necessary for the continued maintenance and servicing of the existing and proposed district improvements. The costs associated with the installation, maintenance and service of the existing and proposed improvements may be assessed to those properties, which are benefited by the installation, maintenance and service.

Section 22608 of the Streets and Highways Code further states that annexation proceedings will be limited to the territory proposed to be included in a district/zone. This report will be limited to those properties proposed to be annexed to LLA District 4, Zone 65, Fair Oaks Ranch, as shown on Appendix "B."

RIGHT TO VOTE ON TAXES ACT (PROPOSITION 218)

On November 5, 1996, the electorate approved Proposition 218, Right to Vote on Taxes Act, which added articles XIII C and XIII D to the California Constitution. The Proposition affects all assessments upon real property for a special benefit conferred on the property. Assessments imposed under the Landscaping and Lighting Act of 1972 are these types of benefit assessments.

Each property owner who owns parcels within the annexation territory subject to the proposed assessment will be sent an Assessment Ballot and Notice of Public Hearing requesting their approval for a particular assessment rate and the implementation of an inflation factor within the District and Zone. Subsequent owners of parcels, following the public hearing, would be made aware through title reports and Department of Real Estate "White Paper" reports that the parcels are in the District and Zone and subject to the assessments. Purchase of the parcel(s) is also an agreement by the new owners to be subject to the assessments. However, subsequent increases above the approved rate plus inflation factor, if any, will be subject to the procedures and approval process of Section 4 of Article XIII D.

The County may initiate proceedings for annexations to the district and zone for the maintenance and servicing of additional landscaping improvements by passing a resolution. This Resolution of Intention generally describes the territory to be annexed to the Zone and orders an engineer to prepare and file a detailed report.

This report, prepared by a licensed engineer, details only the territory to be annexed to the Zone within the District and must include plans and specifications of the improvements, an estimate of the costs of the improvements including maintenance and servicing, a diagram, i.e., map of the Annexation showing the boundary of the Annexation, the parcels or lots which benefit, and an estimate of costs of the improvements, maintenance and servicing. Once the report is completed, it is presented to the Board of Supervisors (the legislative body) for its review and approval as presented, or it may be modified and approved.

After the report is approved, the County adopts the Resolution of Intention which declares its intent to levy and collect assessments within the Annexation, describes the improvements including maintenance and servicing, refers to the annexation by its distinctive designation, refers to the report for the details of the Annexation, and sets a time for a public hearing on the levy of the proposed assessments.

The Right to Vote on Taxes Act, Articles XIII C and XIII D, requires that the County Board of Supervisors conduct a public hearing not less than forty-five days after mailing a Notice of Assessment and Assessment Ballot explaining the proposed assessments to record owners of each parcel which will have a special benefit conferred upon them and upon which the additional assessments will be imposed. For this Annexation, there is a single owner/developer who has submitted a signed and notarized petition waiving all statutory notices of hearings and rights of majority protest. In addition, the owner has also waived their rights to the statutory notice periods per the Act thereby waiving the forty-five day notice period.

At the public hearing, the County will count the Assessment Ballots returned and consider the public testimony in favor and/or opposing the assessments to fund the maintenance and servicing of the improvements. If the assessment receives property owner approval, the assessments will be approved for levy. If the assessment does not receive voter approval the assessments will not be imposed.

If authorized, the assessments could be placed on the 2004/2005 County Tax Roll and would be collected with the regular County property taxes.

II. PLANS AND SPECIFICATIONS

The proposed improvements for the District, Zone, and Annexation include, but are not limited to, and may be generally described as follows:

The operation, maintenance and servicing of ornamental structures, landscaping, including trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems and drainage devices located in public places within the boundaries of the District, Zone, and Annexation. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the ornamental structures, landscaping and appurtenant facilities, including repair, removal, or replacement of all or part of any of the ornamental structures, landscaping or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimmings, rubbish, debris other solid waste; and pest control. Servicing means the furnishing of electricity for the operation of any appurtenant facilities, and water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping and appurtenant facilities.

Plans and Specifications for the improvements for the District, Zone and Annexation are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The plans and specifications are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Division where they are available for public inspection.

III. ESTIMATED COSTS OF THE IMPROVEMENTS

The Act provides that the estimated costs of the improvements shall include the total cost of the improvements for fiscal year 2004/2005, including incidentals, which may include reserves to operate the District, Zone, and Annexation until funds are transferred to the County from the County Auditor/Controller around December 10 of the same fiscal year.

The Act also provides that the amount of any surplus, deficit or contribution be included in the estimated cost of improvements. The net amount to be assessed on the lots or parcels within the District, Zone, and Annexation is the total cost of installation, maintenance and servicing with adjustments either positive or negative for reserves, surpluses, deficits and/or contributions.

Estimated costs of improvements for Los Angeles County LLA District 4, Zone 65, Fair Oaks Ranch Annexation 2 are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The estimated costs are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Division where they are available for public inspection.

At ultimate development of Annexation 2, Tract 52833-03 and remainder of Tract 52833 will consist of 708 single-family dwelling (SFD) units. Tract 52833-03 consists of 79 SFD units and the remainder of Tract 52833 consists of 629 units. The Annexation currently consists of The Park Site at Fair Oaks Ranch.

The facilities to be maintained by the Annexation include: 1) 222,150 square feet of irrigation and planting; 2) 45,150 square feet of concrete and paving; 3) two tot lots and equipment; 4) basketball and volleyball court; 5) restroom and maintenance building; 6) picnic facilities including tables, benches and barbeques; 7) bridging and fencing; 8) lighting, signs, drinking fountains and drainage facilities.

LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK

PROPOSED FISCAL YEAR 2004/2005 BUDGET ESTIMATE

ASSESSMENT LOTS OR PARCELS: 708 Single Family

TYPE OF LAND USE: Single Family Residential

<u>BUDGET ITEM</u>	<u>TOTAL DISTRICT</u>
EXPENSES FY 2004/2005	
Park Maintenance Costs	\$116,112.00
Total Expenses	\$116,112.00
REVENUE FY 2004/2005	
Surplus (carryover) and Interest June 30, 2002	\$ 0.00
Total Assessment Required	\$116,112.00
Total Revenue	\$116,112.00
ASSESSMENTS FY 2004/2005	
Total Assessment Required	\$116,112.00
Number of Parcels/EDUs	708
Proposed Annual Assessment per Parcel	\$164.00

IV. ASSESSMENT DIAGRAM

The boundary maps/diagrams are included herein as "Appendix B" as part of this report. For details of the parcels, reference is made to the assessor, maps on file with the County Assessor. Assessor information for this report was obtained from the latest assessment roll as of May 1, 2003 from the County of Los Angeles, Office of the Assessor.

V. ASSESSMENT

All assessed lots or parcels of real property, within the District, Zone, and Annexation are listed on the assessment roll, which is on file at the County, and is hereby made a part -of this report by reference. The assessment roll states the net amount to be assessed upon assessable lands within the District, Zone, and Annexation for fiscal year 2004/2005, shows the fiscal year 2004/2005 assessment upon each lot and parcel within the District, Zone, and Annexation, and describes each assessable lot or parcel of land within the District, Zone, and Annexation. These lots and parcels are more particularly described on the County assessment roll, which is on file in the office of the Los Angeles County Assessor and by reference is made a part of this report as "Appendix A."

Commencing with fiscal year 2005/2006, the amount of the assessments for the annexation will include a yearly increase, based upon the Consumer Price Index, All Urban Consumers, for the Los Angeles-Orange-Riverside County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The licensed engineer shall compute the percentage difference between the CPI for February of each year-and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use the revised index or a comparable system as approved by the County Board of Supervisors for determining fluctuations in the cost of living.

Based on land use information provided by the County Assessor, all parcels within Annexation 2, Fair Oaks Ranch, are either residential, common area, or public parcels. The primary benefit derived from the maintenance and improvements are The Fair Oaks park facilities.

As a condition of tentative map approval, open space lots are required to be left as open space and no construction can occur on them. Therefore, these lots will not be assessed as they serve only to provide benefit within the Annexation and receive no special benefit.

In accordance with Section 4 of Article XIII D of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no benefit. Within the benefit zone, there are no parcels owned by public agencies.

VI. METHOD OF ASSESSMENT

BACKGROUND

The Landscaping and Lighting Act of 1972 provides that assessments may be apportioned upon all assessable lots or parcels of land within an assessment district in proportion to the estimated benefits to be received by each lot or parcel from the improvements. In addition, Proposition 218 requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

SPECIAL BENEFIT

In a landscape maintenance district or zone the developers of the land typically install the landscape improvements, and the continued maintenance is guaranteed through the establishment of a landscape maintenance district. If the installation of the improvements and the guaranteed maintenance did not occur, the lots would not have been established and could not have been sold to any distinct and separate owner. The establishment of each district or zone and separate lot is a special benefit, which permits the construction of a building or structure on the property and the ownership and sale of the distinct lot in perpetuity.

All the lots are established at the same time once the conditions regarding the improvements and the continued maintenance are guaranteed. As a result, each lot within a zone receives a special and distinct benefit from the improvements and to the same degree.

For Zone 65 Annexation 2, the area within the road rights-of-ways, and surrounding the development consists of landscaped easements, which are owned in common by all the owners within the development. These are the landscaping improvements that will be maintained by the Zone. Since these improvements are for the benefit of the owners and they also benefit from the maintenance of these improvements, only the owners of property within the Annexation are assessed for this benefit, and its costs.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the Annexation and Zone because of the nature of the improvements. The proper maintenance of landscaping and appurtenant facilities specially benefit parcels within the Annexation and Zone by moderating temperatures and providing oxygenation, thereby enhancing the environmental quality of the parcels and making them more desirable. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within the Annexation and Zone. The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property-related crimes (especially vandalism) against properties in the Annexation and Zone. The landscaping, located in LLA District 4, Zones 65, Annexation 2, helps to visually join the various segments of the community, which enhances property. Finally,

the proper maintenance of landscaping and ornamental structures improves the attractiveness of the properties within the Annexation and Zone and provides a positive visual experience each and every time a trip is made to or from the property.

GENERAL BENEFIT

In addition to the special benefits received by the parcels within the proposed Annexation 2, there are incidental general benefits conferred by the proposed improvements.

The proper maintenance of landscaping and appurtenant facilities within the Annexation will not only control dust from blowing onto properties within the Annexation, but will also control dust from blowing onto properties outside of the Annexation. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout other properties within the County. Finally, the proper maintenance of landscaping and ornamental structures provides a positive visual experience to persons passing by the Annexation. All of the above-mentioned constitutes incidental general benefits conferred by the improvements.

The total benefits are thus a combination of the special benefits to the parcels within the Annexation and the general benefits to the public at large and to adjacent property owners. The portion of the total landscape maintenance costs, which are associated with general benefits, will not be assessed to the parcels in the Annexation, but, will be paid from other County funds.

Because the landscaping is located immediately adjacent to properties within the Annexation, and is maintained solely for the benefit of the properties within the Annexation, any benefit received by properties outside of the Annexation is merely incidental. It is estimated that the general benefit portion of the benefit received from the improvements for the Annexation is less than one (1) percent of the total benefit. Nonetheless, the County has agreed to ensure that no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

APPORTIONMENT

In the Annexation, all the parcels receive the same special benefit from the improvements due to their use and their similar proximity to the improvements. Therefore, each parcel is assessed an equal amount based on their land use. Beginning with fiscal year 2004/2005 Zone 65 Annexation 2 will be assessed based on their number of Equivalent Dwelling Units (EDU) within the Annexation. All residential development will be assessed based on their equivalent number of buildable units as they relate to land use density with a single-family dwelling unit equal to 1 EDU.

Land Use	Description	EDU
Single Family Residential	1 Single family dwelling unit	1

Zone 65, Annexation 2 will be assessed per EDU for fiscal year 2004/2005. The following information details the breakdown of EDUs within Zone 65 and Annexation 2.

Description	Parcels/Units	EDUs	Assessment Rate
Single Family Residential	708	708	\$164 Per EDU/Parcel
Total EDUs		708	

For Annexation 2, until such time as the existing parcels are subdivided and recognized by the County Assessor the assessment rate will be the per parcel or EDU rate multiplied by the number of proposed dwelling units. Once the parcels subdivide the EDU rate will carry over to all new parcels.

APPENDIX A - ASSESSMENT ROLL

**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

County of Los Angeles, State of California

The assessment roll for the Los Angeles County LLA District 4, Zone 65, Annexation 2, is hereby incorporated and made a part of this report. The assessment rolls are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Division, where they are available for public inspection.

Reference is made to the Los Angeles County assessment roll for a description of the lots or parcels in the District, Zone and Annexation.

District/Zone/ Annexation Number	Assessor Parcel Numbers	FY 2004/2005 Assessment Per Annexation	FY2004/2005 Assessment Per Proposed EDU/Parcel
LLA 4, Zone 65 Annexation 2	2841-016-024, 25, 44, 45, 47 2841-045-01:25 2841-046-01:56	\$116,112	\$164

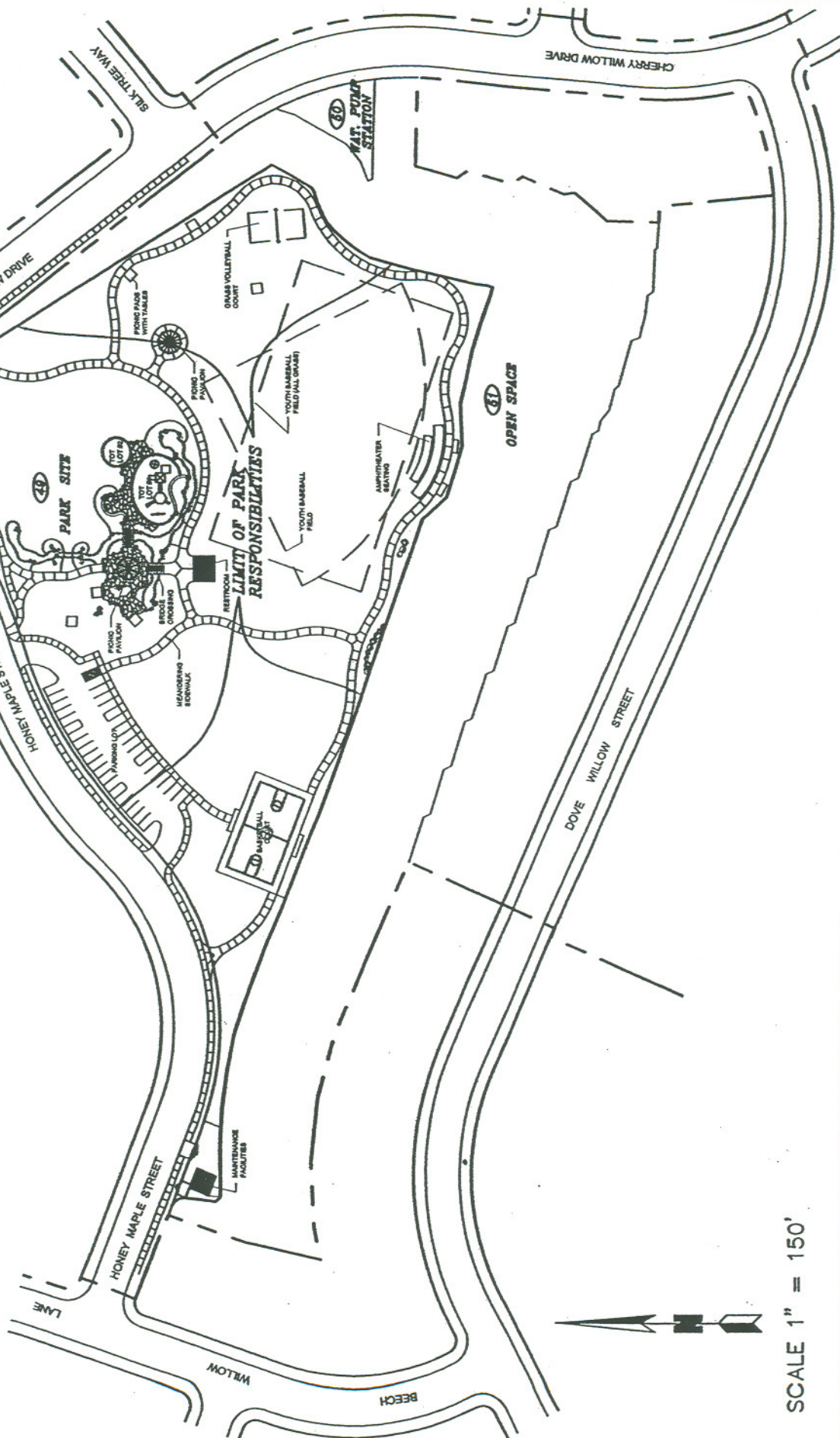
The assessment rate of \$116,112 on the 86 existing parcels will be spread over the future parcels upon recordation of the future tracts with the County Recorder and upon issuance of new Assessor Parcel Numbers at a rate of \$164 per parcel.

APPENDIX B - ASSESSMENT DIAGRAM

**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

County of Los Angeles, State of California

FAIR OAKS PARK SITE



SCALE 1" = 150'

APPENDIX C - DEVELOPER/OWNER PETITION

**LOS ANGELES COUNTY
LLA DISTRICT 4
ZONE 65, FAIR OAKS RANCH
ANNEXATION 2 (TRACT NO. 52833-03 AND
REMAINDER OF TRACT NO. 52833)
FAIR OAKS PARK**

County of Los Angeles, State of California

NOW, THEREFORE, in furtherance of the foregoing recitals, the Owner does hereby petition the County as follows:

1. In order to assure the continued maintenance, operation, and servicing of the Landscape Improvements, and the payment of the cost and expenses incurred for such maintenance, the Owner hereby requests that the County annex their development into County LLA District No. 4, Zone 65 as Annexation 2 pursuant to the "Landscaping and Lighting Act of 1972" being Part 2 of Division 15, of the Streets and Highways Code of the State of California.

2. The Owner requests that the territory to be annexed into County LLA District No. 4, Zone 65 consists of all of the Property referenced in Paragraph A of the recitals hereinabove. The total annual assessment shall be divided among the parcels of the Property in accordance with the benefit received. Such assessments may be increased annually by the Consumer Price Index (CPI), all Urban Consumers for the Los Angeles-Orange-Riverside County area. If the assessments are not increased by the CPI in some years, the amount may be increased in subsequent years by an amount corresponding to the cumulative increases in the CPI.

3. As the Owner of all of the real Property to be placed into the District, the Owners hereby waive all statutory notices of hearings and rights of majority protests by interested property owners in the proposed annexation per Section 22608 of the Streets and Highways Code.

4. As the Owner of all of the real Property, which receives a special benefit and is the only Property proposed to be assessed for the special benefit, the Owner hereby waives all statutory notice periods per the Act.

5. In consideration of the approval of the annexation by the County, the Owner hereby proposes as follows:

a. To install Landscape Improvements (including, but not limited to, all appurtenances as may be reasonably required by the County;

b. To bear all costs to complete the construction or other installation of the Landscape Improvements on those portions of the Property to the reasonable satisfaction of the County;

c. To consent to the annexation of territory into the District;

d. To consent to, and cast a ballot authorizing the levy of assessments against the Property in an amount reasonably determined by the County to cover all costs and expenses incurred for the continued maintenance, and operation, of the Landscape Improvements; and

e. To pay the assessments levied against the Property for the first fiscal year in which they are levied prior to the submittal to the County of any associated final subdivision map.

OWNER/DEVELOPER:

Pardee Homes

By: 

Ian Bizzelle

Vice President of Community Development

Date: 3/25/04

ALL SIGNATURES TO BE NOTARIZED


STATE OF CALIFORNIA

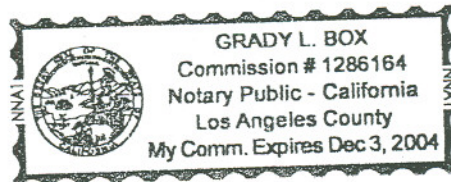
COUNTY OF VENTURA

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On March 25, 2004 before me Grady L. Box, the undersigned Notary Public, personally appeared: **James C. Bizzelle, III as Vice President, Community Development**
Personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf on which the person acted, executed the instrument.

WITNESS my hand and official seal.


Grady L. Box



PETITION

A PETITION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FOR THE ANNEXATION OF FAIR OAKS RANCH TRACT 52833-03 AND THE REMAINDER OF TRACT 52833 INTO COUNTY LLA DISTRICT NO. 4, ZONE 65, PURSUANT TO THE "LANDSCAPING AND LIGHTING ACT OF 1972" BEING PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

WITNESSETH:

A. WHEREAS, the petitioner, Pardee Homes, - (hereinafter referred to as the "Owner"), is the sole owner of that certain real property (hereinafter referred to as the "Property") located in unincorporated territory in the County of Los Angeles, State of California, (hereinafter referred to as the "County") more particularly described as follows:

Legal Description:

Tract No. 52833-03 and the remainder of Tract 52833. More particularly described as:

Assessor Parcel Numbers: 2841-016-24, 25, 44, 45, 47, 2841-045-01:25,
and 2841-046-01:56

General location: Northeast of Highway 14 and Via Princessa, adjacent to the City of Santa Clarita.

B. WHEREAS, the Owner is developing the Property as a residential development in' the County, (hereinafter referred to as the "Project"); and

C. WHEREAS, in order to provide buildable sites on the Property, grading will be necessary to comply with the Building Code of the County; and

D. WHEREAS, the necessary grading of the Property will cause the need for slope landscaping (hereinafter referred to as the "Landscape Improvements") to be installed by the Owner to a standard acceptable to the County in those certain areas within the Project which are more particularly shown and described on Exhibit "A" attached hereto (hereinafter referred to as the "Improvement Areas"); and

E. WHEREAS, these Landscape Improvements must be maintained; and

F. WHEREAS, the Owner must provide a means satisfactory to the County for assuring the continued maintenance of the Landscape Improvements; and

G. WHEREAS, the Improvement Areas and Landscape Improvements must be kept maintained and free of debris so as not to compromise the integrity of the slopes within the Improvement Areas; and

H. WHEREAS, as a condition of the grading and as a condition established for the subdivision of the property into individual lots, for the specific benefit and sale to-subsequent owners, the Owner and/or successors of interest is required to complete the district annexation process for inclusion in the County's LLA District No. 4, Zone 65 as Annexation 2; and

I. WHEREAS, pursuant to the "Landscaping and Lighting Act of 1972", being Part 2 of Division 15 of the Streets and Highways Code of the State of California, the County may annex territory into a landscape maintenance assessment district to provide for the continued maintenance of the Landscape Improvements, and for the payment of the costs and expenses incurred for such maintenance; and

J. WHEREAS, the Right to Vote on Taxes Act, (hereinafter referred to as the "Act") which added Articles XIII C and XIII D to the California Constitution requires among other things that all new assessments must comply with the Act; and

K. WHEREAS, the Act also requires that the County conduct a public hearing not less than 45 days after mailing a notice of the proposed assessment to record owners of each parcel which will have a special benefit conferred upon them and upon which an assessment will be imposed; and

L. WHEREAS, the California Civil Code, Section 3513, allows anyone to waive the advantage of a law intended solely for their benefit; and

M. WHEREAS, the forty-five day period before the conduct of the public hearing is not established for a public reason but is solely for the advantage of the parcels having a special benefit conferred upon them and which an assessment will be imposed; and

N. WHEREAS, the majority of the benefit is a special benefit to the Property and the parcels to be created; and

O. WHEREAS, the proposed assessments upon the Property and the parcels to be created will be for the special benefit to be received by the Property from the improvements; and

P. WHEREAS, the Owner is the sole Owners of the real property to be benefited by the Landscape Improvements, and the maintenance, operation, and servicing thereof; and

Q. WHEREAS, the Act does not prohibit a waiver of the forty-five day noticing period.

ENGINEER'S REPORT

COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

LOS ANGELES COUNTY
LLA DISTRICT NO. 4, ZONE NO. 68
WEST CREEK
COPPERHILL VILLAGE AREA C

Prepared for:
County of Los Angeles
Department of Parks and Recreation
Special Districts Section
31320 North Castaic Road
Castaic, CA 91384

Submitted:

April 1999

Revised:

February 2004

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I. INTRODUCTION

This report is prepared in compliance with the requirements of the LLA of 1972 (LLA), Article 4, Chapter 1, which is Part 2, Division 15 of the California Streets and Highways Code.

The County, through the Department of Parks and Recreation, is preparing to take responsibility of the maintenance and servicing of the improvements to LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C (Vesting Tentative Tract Map No. 52455-01).¹ Since the passage of Proposition 218, which appeared on the November 1996 Statewide ballot, new procedures must be followed to levy assessments under the LLA. Proposition 218 requires that all assessments be supported by a detailed Engineer's Report prepared by a registered professional engineer.

The LLA provides for the levy of annual assessments after formation of an assessment district for the continued maintenance and servicing of district improvements. The LLA further allows various areas to be classified into a separate zone when the territory in the zone receives substantially the same degree of benefit from the improvements. The costs associated with the installation, maintenance, and service of the improvements may be assessed to those properties, which are benefited by them.

The County may initiate proceedings for the continued maintenance and servicing of the improvements by passing a resolution that generally describes any proposed new improvements, or any substantial changes in existing improvements, and order a registered professional engineer to prepare and file a detailed report.

The report prepared by the engineer must include plans and specifications of the improvements, and estimate of the costs of the improvements, including maintenance and servicing, a diagram describing the assessment district showing the boundary of the district including the parcels or lots which benefit. Once the report has been completed, it is then presented to the County (the legislative body) for its review and approval as presented, or may be modified and approved.

After the report is approved, the County:

- Adopts a resolution of intent, which declares its intent to levy and collect assessments,

¹ See Attachment D.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

- Describes the improvements, including maintenance and servicing,
- Refers to the assessment district by its distinctive designation,
- Refers to the report for details of the district,
- Sets a time for hearing on the levy of the proposed assessment, and
- Directs that each property owner be given a notice of the time and place for the hearing.

With the passage for Proposition 218, a notice is mailed to all property owners within the district or specific zone. The notice includes a description in general terms, the reason for the assessment and what it will fund, the amount of the assessment on the owner's parcel, how the assessments were calculated, the total assessment charged to the district or specific zone, and how long the assessment will be imposed. The notice includes the date, time, and location of the public hearing conducted by the County where owners may make their comments. The public hearing must be held no fewer than 45 days after the notice is mailed.

The notice also includes a ballot on which the owners may express their support or opposition to the assessment. The ballot includes a procedure to complete and return the marked ballot to the County. The owners' names and parcel identification numbers are included so the owners' votes may be posted to the parcel being assessed.

The notice also informs the property owners that if a majority of the ballots returned by the property owners support the assessment, then an assessment will be levied to pay the costs of the maintenance and servicing. Conversely, if a majority of the property owners oppose the assessments, the County cannot proceed with the assessment. At the public hearing, the Board of Supervisors must tabulate the ballots and consider public testimony both in favor of and in opposition to the assessment.

Assessments, if authorized, would be placed on the 2004/2005 County tax roll, and be collected with the regular County property taxes. Reserve funds would be used to fund the maintenance and serve until assessment funds are distributed by the County in December 2005.

II. PLANS AND SPECIFICATIONS

The proposed improvements for the assessment district include, but are not limited to:

The operation, maintenance, and servicing of ornamental structures, landscaping, (including trees, shrubs, grass, and other ornamental vegetation), and appurtenant facilities (including sidewalks, trails, irrigation systems and drainage devices), located in public places within the boundaries of LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C.

Maintenance means:

“The furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures, landscaping and appurtenant facilities, including repair, removal, or replacement of all or part of the ornamental structures, landscaping, or appurtenant facilities, providing for the life growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimming rubbish, debris, and other solid waste, and pest control.”

Servicing means:

“The furnishing of electricity for the lighting and operation of the ornamental structures, landscaping, and appurtenant facilities, and water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, and appurtenant facilities.”

Plans and Specifications for the improvements for LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C are extensive and are not bound in this report but by this reference are incorporated and made a part for this report. The Plans and Specifications are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available for public inspection.

III. ESTIMATED COST OF THE IMPROVEMENTS

The LLA provides that the estimated costs of the improvements shall include the total cost of the improvements for Fiscal Year 2004/2005, including incidentals, which may include reserves to operate the District until funds are transmitted to the Department of Parks and Recreation from the County in December of the next fiscal year.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of the improvements. The net amount to be assessed on the lots or parcels within each district is the total cost of installation, maintenance, and servicing with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

Estimated costs for improvements related to LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C are extensive and are not bound in this report, but by reference are incorporated and made part of this report. The estimated costs are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available to the public for review. A description of budget items is included as Attachment B.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

BUDGET ESTIMATE		
Budget Item	Special Benefit Cost to Zone 68 - Residential	Special Benefit Cost to Zone 68 - Commercial
Utilities	\$46,585.44	\$470.56
Maintenance Contracts		
a. Landscaped common area	\$31,363.20	\$0.00
b. Brushing/Naturalized	\$6,969.60	\$0.00
c. Sidewalk maintenance and replacement	\$2,950.36	\$29.80
d. Trail maintenance and ac replacement	\$5,537.86	\$55.94
e. Trail Brushing/Naturalized	\$688.62	\$6.96
Administration/Inspection	\$52,066.08	\$525.92
Contingency	\$38,364.48	\$387.52
Reserves	\$16,441.92	\$166.08
2004/2005 Total Assessment:	\$200,967.56	\$1,642.78
Number of EDUs	1,149.70	16.90
Assessment Per EDU:	\$174.80	\$97.21

IV. ASSESSMENT DIAGRAM

Attachment D shows the exterior boundaries of LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C. On Attachment E, each parcel is identified by an Assessor's Parcel Number. The lines and dimensions of each parcel within the assessment district and the Assessor's Parcel Number for each parcel are shown on the Assessor's maps maintained by the County of Los Angeles, Office of the Assessor. Said maps are herein incorporated by reference. Generally, the assessment district incorporates those parcels shown on the following Assessor's Book Page and Numbers:

1. 2810-002-068
2. 2810-001-052

The Assessment Roll, Appendix A, includes the Assessor's Parcel Numbers, the owner's name and the owner's address for each parcel within the benefit zone. Appendix A is a separate volume on file in the office of the County of Los Angeles, Department of Parks and Recreation, Special Districts Section, and is incorporated herein by reference. Assessor information was obtained from the latest Assessment Roll (July 2003) from the County of Los Angeles, Office of the Assessor.

V. ASSESSMENT

All assessed lots and parcels of real property within the assessment district are listed on the Assessment Roll on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, and are hereby made a part of this report by reference. The assessment roll states the net amount to be assessed upon assessable lands within the assessment district for Fiscal Year 2004/2005, shows the Fiscal year 2004/2005 assessment upon each lot and parcel within the assessment district, and describes each assessable lot or parcel of land within the assessment district. These lots and parcels are more particularly described in the County assessment roll, which is on file in the office of the Los Angeles County Assessor and by reference is made a part of this report.

Commencing with Fiscal Year 2004/2005, the amount of the assessment for the assessment district is proposed to increase annually, based on the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board of Supervisors.

The LLA of 1972 provides for the assessment of improvement costs against benefited property within the assessment district. The Act states that, "The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements". A method of distributing the landscape maintenance costs was approved by the Board of Supervisors on June 12, 1979, and is incorporated herein by reference. That same method will be used to compute the 2004/2005 assessment.

Based on land use information outlined on Tract No. 52455-01 it has been determined that all of the parcels to be assessed in Zone 68 West Creek Copperhill Village Area C are residential or commercial parcels. The primary benefits derived from the maintenance and improvements for LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C are landscaped common areas, slopes, trails, and paseos. These facilities are available to all property owners within the zone. In view of the fact

*COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION*

that the benefits derived do not apply equally to all parcels, it has been determined that commercial parcels will receive a different assessment than residential parcels.

February 2004

*Engineer's Report
LLA District No. 4, Zone No. 68
West Creek Copperhill Village Area C*

a) Publicly Owned Parcels

In accordance with Section 4 of Article XIID of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no special benefit. The Metropolitan Water District (MWD) fee property bisects, but is not included within, Zone 68. As such, the MWD parcels shall not be included in the assessment.

b) Assessment

In determining the cost per parcel for Fiscal Year 2004/2005, the total estimated cost of the improvements (annual operation, maintenance, and servicing expenses, and operating reserves) will be used to determine the amount to be assessed. The cost to be assessed on each parcel will be determined within the assessment district.

The amount to be assessed as special benefits within LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C property for the 2004/2005 fiscal year is \$202,610.00. Each assessable parcel in the assessment district and its proposed 2004/2005 assessment is included in the tax roll, Appendix A. Appendix A is a separate volume on file with the County. For a description of the parcels within the assessment district, reference is made to the Los Angeles County Assessment Roll, which is on file in the office of the County Assessor and incorporated herein by reference. The amount to be assessed per equivalent dwelling unit within LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C for the 2004/2005 fiscal year is \$174.80 per residential equivalent dwelling unit (EDU) and \$97.21 per commercial acre.

VI. METHOD OF ASSESSMENT

a) Background

The LLA of 1972 provides that assessments may be apportioned upon all assessable lots or parcels of land within the district or zone therein in proportion to the estimated benefits to be received for the improvements. In addition, Proposition 218 requires that assessments be a levy or charge upon real property for a special benefit conferred on the property over and above any general benefits conferred on property located in the district or to the public at large. Although the general enhancement of property value is not a special benefit, the specific enhancement of property value is a special benefit. In essence, an assessment, levy or charge, on a parcel must be based on a special and distinct benefit to the parcel, and shall not include any general benefits conferred on the public at large, including real property within the district.

b) Special Benefit

There are many areas in Southern California that cannot be used for development unless level buildable areas are created. This has been effectively resolved by mass grading projects which cut into hillsides and use the soils generated to fill low areas. In many cases, the existing soils are composed of layers of silts and clays which, when subject to moisture, may expand, collapse, or move, resulting in landslides, all of which may create an unstable condition of the buildable lots. These silt and clay layers are a problem for stability when in concentrated areas. One method to address the clay and silty soil stability issue is to mix them with existing sand and gravelly soils to disburse them throughout the graded project. Geologic and geotechnical reports are prepared to investigate, recommend improvements and methods of construction, and inspect the work to address the issue of stability of the buildable lots.

The resulting graded areas consist of buildable sites and lots that have cut and fill slopes on the perimeter and within the development. The landscaping of the cut and fill slopes is necessary to prevent erosion and failure. The extended periods of dry weather in southern California, and periods of heavy rainfall, are not conducive to plant growth throughout the year without assistance. The establishment and protection of plant materials on these slopes is the single most recognized and acceptable method of slope and erosion protection. If landscaping, maintenance, and servicing were not provided, the risk of instability and destruction of property would increase. Furthermore, no landscaping outside of the Zone serves to protect the slopes within the Zone from erosion.

c) General Benefit

Not all of the lots or parcels within LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C receive all of the unique, special benefits equally from the maintenance of the improvements. Specifically, maintenance of the river trail that runs through the project, from Copperhill Drive south to the Decoro Drive bridge (anticipated to connect to the existing river trail system), serves to benefit one existing project to the north, one existing project to the south, as well as LLA District No. 4, Zone No. 69 – West Creek Canyon Estate Areas A and B.

Therefore, it has been determined that the percent Special Benefit attributable to this project is 27% (see Attachment C for calculation of Special versus General Benefit). As such, 73% of the maintenance of the river trail would not be funded by this Zone. As shown in attachment C, 25% of the trail's usage would be attributable to Zone 69 (Westcreek Areas A and B). Therefore, that portion of trail's maintenance cost shall be funded by that Zone. The remaining, unfunded portion of the trail's maintenance is estimated at 48%. This General Benefit portion of maintenance costs would, therefore, shall be funded apart from LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C.

d) Apportionment

For LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C, it has been determined that the commercial parcels do not benefit from the maintenance of the improvements to the same degree as the residential parcels. Therefore, Attachment C outlines the percentage of benefits attributable to each land use, primarily based on the use's proximity to the improvements. Therefore, residential and commercial EDUs shall be assessed differently.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

VII. CERTIFICATION

I, Ross W. Barker, Psomas, Engineer of Work for the County of Los Angeles, do hereby certify that the foregoing assessments, together with the boundary maps attached hereto, are true and correct.

 3/23/2004

Ross W. Barker, RCE 32799, Exp. 6/30/06
Engineer of Work



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Attachment A: Assessment Roll

The assessment roll for the Landscape and Lighting Act (LLA) District No. 4, Zone No. 68 – West Creek Copperhill Village Area C is hereby incorporated and made a part of this report. The Assessment Rolls are on file in the office of the Los Angeles Department of Parks and Recreation, Special Districts Section, where they are available for public review.

Reference is made to the Los Angeles County tax roll for a description of the lots or parcels in each of the Assessment Districts.

Zone Number	Assessor Parcel Number ¹	Tract	FY 2004/2005 Zone Assessment	FY 2004/2005 Parcel Assessment
68	2810-001-052	52455-01		\$101,305.00
68	2810-002-068	52455-01		\$101,305.00
\$202,610.00				

Once the subdivision is final and assessor has assigned parcel numbers, the assessment shall be allocated as follows:

Use	Dwelling Units/Acreage	EDU Factor	Equivalent Dwelling Units (EDU)	Annual Parcel Assessment	Zone Assessment by Land Use
Single Family	681	1	681	\$174.80	\$119,038.80
Condominium	354	0.8	283.2	\$139.84	\$49,503.36
Apartment	265	0.7	185.5	\$122.36	\$32,425.40
Commercial	16.9	1 acre	16.9	\$97.21	\$1,642.78
Total					\$202,610.34

¹ Per Tract No. 52455-01 (not recorded as of the submittal date of this report), these parcels will be further subdivided into the following assessable parcels: 241 single family lots, 11 multi-family lots, and 11 commercial lots. Lots to be recorded as open space, recreation, or utility usage are not proposed to be assessed.

Attachment B: Description of Budget Items

The following describes the items listed in the assessment district's budget shown in Section III.

Utilities:

Water

The furnishing of water required for the irrigation of the landscaping and the maintenance of the ornamental structures and appurtenant facilities.

Electric

The furnishing of electricity required for the operation of the ornamental structures, landscaping, and appurtenant facilities.

Telephone

The furnishing of telephone service for irrigation controllers.

Maintenance Contracts

Costs associated with maintenance (labor, material, and equipment) includes all labor, material, and equipment required to properly maintain and service the ornamental structures, landscaping, and appurtenant facilities within the assessment district, including the maintenance and servicing of fencing. All improvements within the assessment district will be maintained and serviced on a regular basis. The frequency and specific maintenance operation required will be determined by County staff, but generally, the operations will occur weekly.

Contingency

Repairs that are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the assessment district could also be included in renovation costs. Examples of upgrades are replacing plant materials and/or renovation irrigation systems.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Annual Administrative/Inspection Costs

The cost of all County departmental staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments.

Reserves

Costs to upgrade and/or improve the existing landscaping or appurtenant facilities.

Attachment C: Tabulation of Budget Items

General/Special Benefit Analysis	Zone No. 68 (square feet)	Special Benefit % Zone No. 68	Special Benefit % Zone 69	General Benefit %
AREA TYPE				
Total Landscape Common Area	348,480	100%		
Total Brushed/Naturalized Common Area	348,480	100%		
Total LMD Sidewalk Area (east side of Copperhill project frontage only)	55,420	100%		
Total LMD Trail Area (including associated brushing/ naturalized common area)	354,820	27%	25%	48%
Total SF of maintenance areas	1,107,200			

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Budget Item	Rate per sq. ft. per year	Assessable Square foot	Special Benefit % for Zone 68	% Benefit Attributable to Residential Parcels	Special Benefit Cost to Zone 68 - Residential	% Benefit Attributable to Commercial Parcels	Special Benefit Cost to Zone 68 - Commercial	General Benefit % for Zone 68	General Benefit Cost - Trail
Utilities	\$0.043	1,107,200	100%	99%	\$46,585.44	1%	\$470.56	n/a	
Maintenance Contracts									
a. Landscaped common area	\$0.090	348,480	100%	100%	\$31,363.20	0%	\$0.00	n/a	
b. Brushing/Naturalized	\$0.020	348,480	100%	100%	\$6,969.60	0%	\$0.00	n/a	
c. Sidewalk maintenance and replacement	\$0.054	55,420	100%	99%	\$2,950.36	1%	\$29.80	n/a	
d. Trail maintenance and ac replacement	\$0.094	224,140	27%	99%	\$5,537.86	1%	\$55.94	52%	\$10,929.63
e. Trail Brushed/Naturalized Common Area	\$0.020	130,680	27%	99%	\$688.62	1%	\$6.96	52%	\$1,359.07
Administration/Inspection	\$0.048	1,107,200	100%	99%	\$52,066.08	1%	\$525.92	n/a	
Contingency	\$0.035	1,107,200	100%	99%	\$38,364.48	1%	\$387.52	n/a	
Reserves	\$0.015	1,107,200	100%	99%	\$16,441.92	1%	\$166.08	n/a	
2004/2005 Total Assessment:					\$200,967.56		\$1,642.78		\$12,288.71
Number of EDUs:					1,149.70		16.90		
Assessment Per EDU:					\$174.80		\$97.21		

February 2004

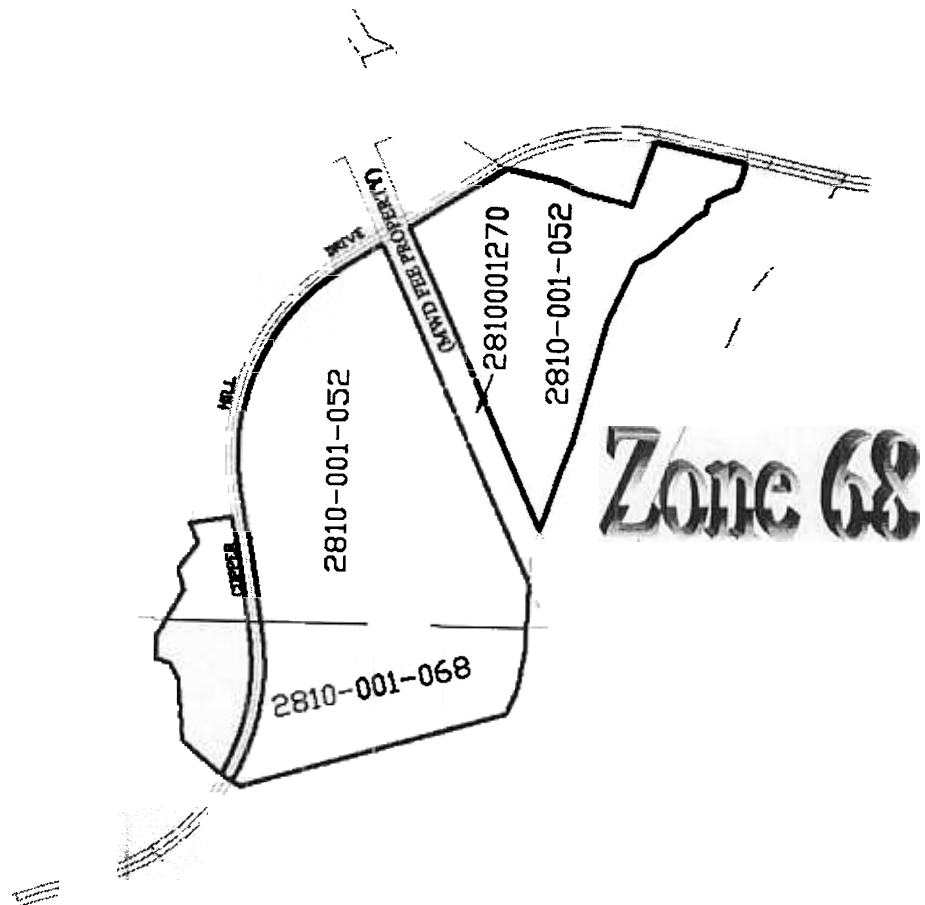
Engineer's Report
LLA District No. 4, Zone No. 68
West Creek Copperhill Village Area C

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Projects which Contribute to General Benefit Portion of the River Trail		
Shea - Decoro Highlands	194	single family
	129	condos
Tesoro del Valle	1200	single family
	591	condos
Total	2114	

February 2004

Attachment D: Assessment Diagram



Attachment E Legal Description

**Los Angeles County LLA
District No. 4, Zone No. 68**

A parcel of land in the Unincorporated Territory of the County of Los Angeles, State of California described as follows:

Beginning at the southeasterly terminus of that certain course shown as having a bearing and distance of South 26 degrees 31 minutes 00 seconds East 1111.16 feet on the easterly boundary of a parcel of land described in Certificate of Completion as Annexation 1995-03 to the City of Santa Clarita recorded October 31, 1996 as Instrument No. 96-1773306 of Official Records of said County; thence northwesterly, northeasterly and northerly along said easterly boundary through all of its various courses to Station No. 8 in the southerly boundary of the "Wayside Honor Farm", as shown on County Surveyor's Map No. B-1638 on file in the Office of the County Surveyor of said County, said Station No. 8 being the easterly terminus of that certain course shown as having a bearing of North 80 degrees 34 minutes East and a length of 387.31 feet on the northerly boundary of Parcel 1 of Licensed Surveyor's Map filed in Book 27 Pages 27 through 31 of Record of Survey, Records of said County, and also being the most northerly corner of that certain parcel of land described as Parcel 1 in deed to Lockheed Aircraft Corporation, recorded in Book D468, Page 516 of said Official Records; thence northeasterly, northerly and northwesterly along the generally northwesterly line of said Parcel 1 of Licensed Surveyor's Map to the most northerly corner of said Parcel 1, said corner being also on the westerly line of Parcel 7 of Licensed Surveyor's Map filed in Book 27 Pages 32 through 39 of said Record of Surveys; thence northeasterly, southerly and southeasterly along the general northeasterly line of said Parcel 7 to the northwesterly terminus of that certain course shown as having a bearing and distance of North 34 degrees 05 minutes 19 seconds West 512.37 feet on Record of Survey recorded in Book 109 Pages 60 through 70 of said Records; thence along said certain course, South 34 degrees 05 minutes 19 seconds East 328.31 feet; thence South 65 degrees 34 minutes 25 seconds West 576.69 feet to an angle point in the northeasterly line of that 250 feet wide right of way of Metropolitan Water District described in deed recorded February 6, 1968 as Instrument No. 508 in Book D3905 Page 546, of said Records, and shown on Record of Survey recorded in Book 86 Pages 43 through 48, of said Records; thence South 24 degrees 25 minutes 35 seconds East 615.74 feet to the northwesterly right-of-way of Copperhill Drive, 100 feet wide, as shown on Horizontal Alignment Map P-246 approved by said County on June 15, 1995 on file in the Office of the Director of Public

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

33 Works of said County, thence southwesterly and southerly along said northwesterly right-of-way of said
34 Copperhill Drive through all of its various courses and curves to the Point of Beginning.

35

36

37

Valencia Company

A DIVISION OF THE NEWHALL LAND AND FARMING COMPANY

23823 Valencia Boulevard, Valencia, California 91355-2194 • (661) 255-4000

February 5, 2004

Ms. Ruth Roess
Los Angeles County Department of Parks and Recreation
Special Districts Section

Subject: LLA DISTRICT 4, ZONE NO. 68

Dear Ms. Roess:

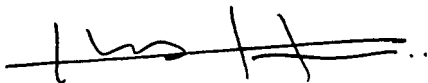
Newhall Land and Farming Company (A California Limited Partnership), as the sole owner of property, proposes to apply an Equivalent Dwelling Unit (EDU) assessment to territory within existing Lighting Act District No. 4, Zone No. 68 – West Creek Copperhill Village Area C.

Commencing with Fiscal Year 2004/2005, the amount of the assessment for the assessment district is proposed to increase annually, based on the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor.

We hereby give consent said method of assessment and CPI of the subject territory into said district.

Accompanying this request is an Engineer's Report, which supports the assessment proposed for LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C, as described above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Herren', with a horizontal line drawn through it.

Keith Herren
Vice President, Residential Development

Attach: Engineers' Report
Eng Rprt Final.doc

Valencia Company

A DIVISION OF THE NEWHALL LAND AND FARMING COMPANY

23823 Valencia Boulevard, Valencia, California 91355-2194 • (661) 255-4000

February 5, 2004

Ms. Ruth Roess
Los Angeles County Department of Parks and Recreation
Special Districts Section

Subject: LLA DISTRICT 4, ZONE NO. 68

Dear Ms. Roess:

Newhall Land and Farming Company (A California Limited Partnership), as the sole owner of property, proposes to apply an Equivalent Dwelling Unit (EDU) assessment to territory within existing Lighting Act District No. 4, Zone No. 68 – West Creek Copperhill Village Area C.

Commencing with Fiscal Year 2004/2005, the amount of the assessment for the assessment district is proposed to increase annually, based on the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor.

We hereby give consent said method of assessment and CPI of the subject territory into said district.

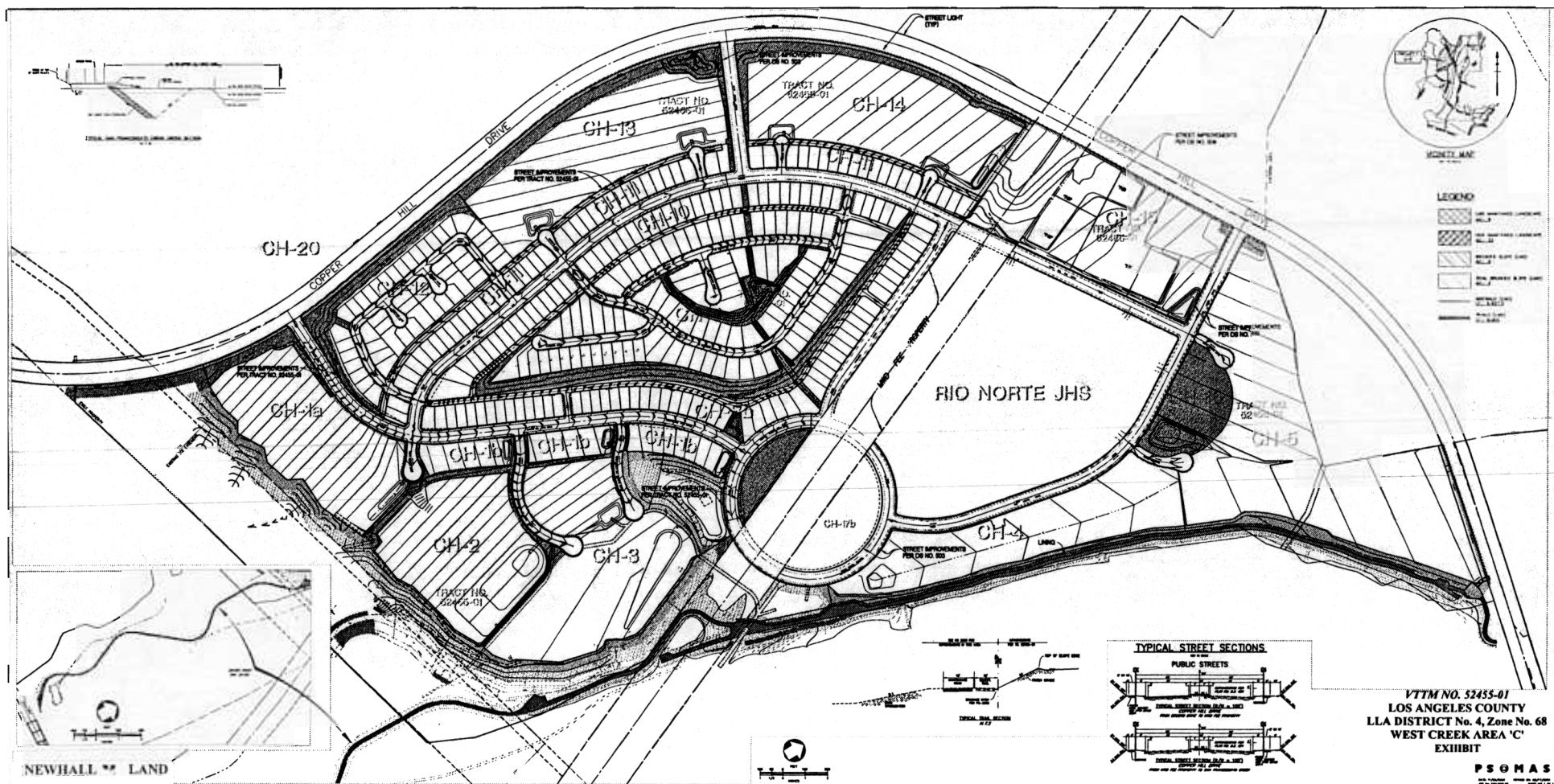
Accompanying this request is an Engineer's Report, which supports the assessment proposed for LLA District No. 4, Zone No. 68 – West Creek Copperhill Village Area C, as described above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Herren', with a horizontal line extending to the right.

Keith Herren
Vice President, Residential Development

Attach: Engineers' Report
Eng Rprt Final.doc



ENGINEER'S REPORT

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

LOS ANGELES COUNTY
LLA DISTRICT NO. 4, ZONE NO. 69
WEST CREEK CANYON ESTATES

Prepared for:
County of Los Angeles
Department of Parks and Recreation
Special Districts Section
31320 North Castaic Road
Castaic, CA 91384

Submitted:

April 1999

Revised:

February 2004

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I. INTRODUCTION

This report is prepared in compliance with the requirements of the LLA of 1972 (LLA), Article 4, Chapter 1, which is Part 2, Division 15 of the California Streets and Highways Code.

The County, through the Department of Parks and Recreation, is preparing to take responsibility of the maintenance and servicing of the improvements to LLA District No. 4, Zone No. 69 – West Creek Canyon Estates (Tract No. 52455-02 and 52455-03).¹ Since the passage of Proposition 218, which appeared on the November 1996 Statewide ballot, new procedures must be followed to levy assessments under the LLA. Proposition 218 requires that all assessments be supported by a detailed Engineer's Report prepared by a registered professional engineer.

The LLA provides for the levy of annual assessments after formation of an assessment district for the continued maintenance and servicing of district improvements. The LLA further allows various areas to be classified into a separate zone when the territory in the zone receives substantially the same degree of benefit from the improvements. The costs associated with the installation, maintenance, and service of the improvements may be assessed to those properties, which are benefited by them.

The County may initiate proceedings for the continued maintenance and servicing of the improvements by passing a resolution that generally describes any proposed new improvements, or any substantial changes in existing improvements, and order a registered professional engineer to prepare and file a detailed report.

The report prepared by the engineer must include plans and specifications of the improvements, and estimate of the costs of the improvements, including maintenance and servicing, a diagram describing the assessment district showing the boundary of the district including the parcels or lots which benefit. Once the report has been completed, it is then presented to the County (the legislative body) for its review and approval as presented, or may be modified and approved.

After the report is approved, the County:

- Adopts a resolution of intent, which declares its intent to levy and collect assessments,

¹ See Attachment D.

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

- Describes the improvements, including maintenance and servicing,
- Refers to the assessment district by its distinctive designation,
- Refers to the report for details of the district,
- Sets a time for hearing on the levy of the proposed assessment, and
- Directs that each property owner be given a notice of the time and place for the hearing.

With the passage for Proposition 218, a notice is mailed to all property owners within the district or specific zone. The notice includes a description in general terms, the reason for the assessment and what it will fund, the amount of the assessment on the owner's parcel, how the assessments were calculated, the total assessment charged to the district or specific zone, and how long the assessment will be imposed. The notice includes the date, time, and location of the public hearing conducted by the County where owners may make their comments. The public hearing must be held no fewer than 45 days after the notice is mailed.

The notice also includes a ballot on which the owners may express their support or opposition to the assessment. The ballot includes a procedure to complete and return the marked ballot to the County. The owners' names and parcel identification numbers are included so the owners' votes may be posted to the parcel being assessed.

The notice also informs the property owners that if a majority of the ballots returned by the property owners support the assessment, then an assessment will be levied to pay the costs of the maintenance and servicing. Conversely, if a majority of the property owners oppose the assessments, the County cannot proceed with the assessment. At the public hearing, the Board of Supervisors must tabulate the ballots and consider public testimony both in favor of and in opposition to the assessment.

Assessments, if authorized, would be placed on the 2004/2005 County tax roll, and be collected with the regular County property taxes. Reserve funds would be used to fund the maintenance and serve until assessment funds are distributed by the County in December 2005.

II. PLANS AND SPECIFICATIONS

The proposed improvements for the assessment district include, but are not limited to:

The operation, maintenance, and servicing of ornamental structures, landscaping, (including trees, shrubs, grass, and other ornamental vegetation), and appurtenant facilities (including sidewalks, trails, irrigation systems and drainage devices), located in public places within the boundaries of LLA District No. 4, Zone No. 69 – West Creek Canyon Estates.

Maintenance means:

“The furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures, landscaping and appurtenant facilities, including repair, removal, or replacement of all or part of the ornamental structures, landscaping, or appurtenant facilities, providing for the life growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimming rubbish, debris, and other solid waste, and pest control.”

Servicing means:

“The furnishing of electricity for the lighting and operation of the ornamental structures, landscaping, and appurtenant facilities, and water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, and appurtenant facilities.”

Plans and Specifications for the improvements for LLA District No. 4, Zone No. 69 – West Creek Canyon Estates are extensive and are not bound in this report but by this reference are incorporated and made a part for this report. The Plans and Specifications are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available for public inspection.

III. ESTIMATED COST OF THE IMPROVEMENTS

The LLA provides that the estimated costs of the improvements shall include the total cost of the improvements for Fiscal Year 2004/2005, including incidentals, which may include reserves to operate the District until funds are transmitted to the Department of Parks and Recreation from the County in December of the next fiscal year.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of the improvements. The net amount to be assessed on the lots or parcels within each district is the total cost of installation, maintenance, and servicing with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

Estimated costs for improvements related to LLA District No. 4, Zone No. 69 – West Creek Canyon Estates are extensive and are not bound in this report, but by reference are incorporated and made part of this report. The estimated costs are on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, where they are available to the public for review. A description of budget items is included as Attachment B.

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BUDGET ESTIMATE	
Budget Item	Special Benefit Cost to Zone 69 – Residential
Utilities	\$139,696.31
Maintenance Contracts	
a. Landscaped common area	\$148,975.20
b. Brushing/Naturalized	\$24,393.60
c. Sidewalk maintenance and replacement	\$3,075.45
d. Trail maintenance and ac replacement	\$5,254.63
e. Trail (brushing/ naturalized)	\$653.40
Administration/Inspection	\$156,131.17
Contingency	\$115,044.02
Reserves	\$49,304.58
2004/2005 Total Assessment:	\$642,528.36
Number of EDUs	885.70
Assessment Per EDU:	\$725.45

IV. ASSESSMENT DIAGRAM

Attachment D shows the exterior boundaries of LLA District No. 4, Zone No. 69 – West Creek Canyon Estates. On Attachment E, each parcel is identified by an Assessor's Parcel Number. The lines and dimensions of each parcel within the assessment district and the Assessor's Parcel Number for each parcel are shown on the Assessor's maps maintained by the County of Los Angeles, Office of the Assessor. Said maps are herein incorporated by reference. Generally, the assessment district incorporates those parcels shown on the following Assessor's Book Page and Numbers:

- | | |
|----|--------------|
| | 2810-001-006 |
| 2. | 2810-001-007 |
| 3. | 2810-002-052 |
| 4. | 2866-006-001 |
| 5. | 2866-006-004 |
| 6. | 2866-006-005 |
| 7. | 2866-006-018 |
| 8. | 2866-006-032 |

The Assessment Roll, Appendix A, includes the Assessor's Parcel Numbers, the owner's name and the owner's address for each parcel within the benefit zone. Appendix A is a separate volume on file in the office of the County of Los Angeles, Department of Parks and Recreation, Special Districts Section, and is incorporated herein by reference. Assessor information was obtained from the latest Assessment Roll (July 2003) from the County of Los Angeles, Office of the Assessor.

V. ASSESSMENT

All assessed lots and parcels of real property within the assessment district are listed on the Assessment Roll on file in the office of the Los Angeles County Department of Parks and Recreation, Special Districts Section, and are hereby made a part of this report by reference. The assessment roll states the net amount to be assessed upon assessable lands within the assessment district for Fiscal Year 2004/2005, shows the Fiscal year 2004/2005 assessment upon each lot and parcel within the assessment district, and describes each assessable lot or parcel of land within the assessment district. These lots and parcels are more particularly described in the County assessment roll, which is on file in the office of the Los Angeles County Assessor and by reference is made a part of this report.

Commencing with Fiscal Year 2004/2005, the amount of the assessment for the assessment district is proposed to increase annually, based on the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The engineer shall compute the percentage difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the engineer shall use a revised index or comparable system for determining fluctuations in the cost of living, as approved by the Board of Supervisors.

The LLA of 1972 provides for the assessment of improvement costs against benefited property within the assessment district. The Act states that, "The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements". A method of distributing the landscape maintenance costs was approved by the Board of Supervisors on June 12, 1979, and is incorporated herein by reference. That same method will be used to compute the 2004/2005 assessment.

Based on land use information outlined on Tract No. 52455-02 and 52455-03 it has been determined that all of the parcels to be assessed in Zone 69 West Creek Canyon Estates are residential or commercial parcels. The primary benefits derived from the maintenance and improvements for LLA District No. 4, Zone No. 69 – West Creek Canyon Estates are landscaped common areas, slopes, trails, and paseos. These facilities are available to all property owners within the zone. In view of the fact that the benefits

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derived do not apply equally to all parcels, it has been determined that commercial parcels will receive a different assessment than residential parcels.

a) Publicly Owned Parcels

In accordance with Section 4 of Article XIID of the California Constitution, publicly owned parcels are required to be assessed unless they in fact receive no special benefit. The Metropolitan Water District (MWD) fee property falls within the boundary of, but is not included within, Zone 69. As such, the MWD parcels shall not be included in the assessment.

b) Assessment

In determining the cost per parcel for Fiscal Year 2004/2005, the total estimated cost of the improvements (annual operation, maintenance, and servicing expenses, and operating reserves) will be used to determine the amount to be assessed. The cost to be assessed on each parcel will be determined within the assessment district.

The amount to be assessed as special benefits within LLA District No. 4, Zone No. 69 – West Creek Canyon Estates property for the 2004/2005 fiscal year is \$642,528.00. Each assessable parcel in the assessment district and its proposed 2004/2005 assessment is included in the tax roll, Appendix A. Appendix A is a separate volume on file with the County. For a description of the parcels within the assessment district, reference is made to the Los Angeles County Assessment Roll, which is on file in the office of the County Assessor and incorporated herein by reference. The amount to be assessed per equivalent dwelling unit within LLA District No. 4, Zone No. 69 – West Creek Canyon Estates for the 2004/2005 fiscal year is \$725.45 per residential equivalent dwelling unit (EDU).

VI. METHOD OF ASSESSMENT

a) Background

The LLA of 1972 provides that assessments may be apportioned upon all assessable lots or parcels of land within the district or zone therein in proportion to the estimated benefits to be received for the improvements. In addition, Proposition 218 requires that assessments be a levy or charge upon real property for a special benefit conferred on the property over and above any general benefits conferred on property located in the district or to the public at large. Although the general enhancement of property value is not a special benefit, the specific enhancement of property value is a special benefit. In essence, an assessment, levy or charge, on a parcel must be based on a special and distinct benefit to the parcel, and shall not include any general benefits conferred on the public at large, including real property within the district.

b) Special Benefit

There are many areas in Southern California that cannot be used for development unless level buildable areas are created. This has been effectively resolved by mass grading projects which cut into hillsides and use the soils generated to fill low areas. In many cases, the existing soils are composed of layers of silts and clays which, when subject to moisture, may expand, collapse, or move, resulting in landslides, all of which may create an unstable condition of the buildable lots. These silt and clay layers are a problem for stability when in concentrated areas. One method to address the clay and silty soil stability issue is to mix them with existing sand and gravelly soils to disburse them throughout the graded project. Geologic and geotechnical reports are prepared to investigate, recommend improvements and methods of construction, and inspect the work to address the issue of stability of the buildable lots.

The resulting graded areas consist of buildable sites and lots that have cut and fill slopes on the perimeter and within the development. The landscaping of the cut and fill slopes is necessary to prevent erosion and failure. The extended periods of dry weather in southern California, and periods of heavy rainfall, are not conducive to plant growth throughout the year without assistance. The establishment and protection of plant materials on these slopes is the single most recognized and acceptable method of slope and erosion protection. If landscaping, maintenance, and servicing were not provided, the risk of instability and destruction of property would increase. Furthermore, no landscaping outside of the Zone serves to protect the slopes within the Zone from erosion.

c) General Benefit

Not all of the lots or parcels within LLA District No. 4, Zone No. 69 – West Creek Canyon Estates receive all of the unique, special benefits equally from the maintenance of the improvements. Specifically, maintenance of the river trail that runs through LLA District No. 4, Zone No. 68 – West Creek Area C, from Copper Hill Drive south to the Decoro Drive bridge (anticipated to connect to the existing river trail system), serves to benefit not only Area C but the existing project to the north, one existing project to the south, as well as this project.

Therefore, it has been determined that the percent Special Benefit attributable to this project is 25% (see Attachment C for calculation of Special versus General Benefit). As such, 73% of the maintenance of the river trail would not be funded by this Zone. As shown in attachment C, 27% of the trail's usage would be attributable to Zone 68 (Westcreek Area C). Therefore, that portion of trail's maintenance cost shall be funded by that Zone. The remaining, unfunded portion of the trail's maintenance is estimated at 48%. This General Benefit portion of maintenance costs would, therefore, be funded apart from LLA District No. 4, Zone. 69 – West Creek Canyon Estates.

d) Apportionment

For LLA District No. 4, Zone No. 69 – West Creek Canyon Estates, it has been determined that the commercial parcels do not benefit from the maintenance of the improvements to the same degree as the residential parcels. Therefore, Attachment C outlines the percentage of benefits attributable to each land use, primarily based on the use's proximity to the improvements. Therefore, residential and commercial EDUs shall be assessed differently.

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VII. CERTIFICATION

I, Ross W. Barker, Psomas, Engineer of Work for the County of Los Angeles, do hereby certify that the foregoing assessments, together with the boundary maps attached hereto, are true and correct.

Ross W. Barker

3/23/2004

Ross W. Barker, RCE 32799, Exp. 6/30/06
Engineer of Work



Attachment A: Assessment Roll

The assessment roll for the Landscape and Lighting Act (LLA) District No. 4, Zone No. 69 – West Creek Canyon Estates is hereby incorporated and made a part of this report. The Assessment Rolls are on file in the office of the Los Angeles Department of Parks and Recreation, Special Districts Section, where they are available for public review.

Reference is made to the Los Angeles County tax roll for a description of the lots or parcels in each of the Assessment Districts.

Zone Number	Assessor Parcel Number ¹	Tract	FY 2004/2005 Zone Assessment	FY 2004/2005 Parcel Assessment
69	2810-001-006	52455-02 and 52455-03		\$80,316.00
69	2810-001-007	52455-02 and 52455-03		\$80,316.00
69	2810-002-052	52455-02 and 52455-03		\$80,316.00
69	2866-006-001	52455-02 and 52455-03		\$80,316.00
69	2866-006-032	52455-02 and 52455-03		\$80,316.00
69	2866-006-004	52455-02 and 52455-03		\$80,316.00
69	2866-006-005	52455-02 and 52455-03		\$80,316.00

¹ Per Tract No. 52455-02 and 52455-03 (not recorded as of the submittal date of this report), these parcels will be further subdivided into the following assessable parcels: 724 single family lots and 1 multi-family lot. Lots to be recorded as open space, recreation, or utility usage are not proposed to be assessed.

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Zone Number	Assessor Parcel Number ¹	Tract	FY 2004/2005 Zone Assessment	FY 2004/2005 Parcel Assessment
69	2866-006-018	52455-02 and 52455-03		\$80,316.00
			\$642,528.00	

Once the subdivision is final and assessor has assigned parcel numbers, the assessment shall be allocated as follows:

Use	Dwelling Units/Acreage	EDU Factor	Equivalent Dwelling Units (EDU)	Annual Parcel Assessment	Zone Assessment by Land Use
Single Family	724	1	724	\$725.45	\$525,223.59
Apartment	231	0.8	161.7	\$507.81	\$117,304.77
Total					\$642,528.36

Attachment B: Description of Budget Items

The following describes the items listed in the assessment district's budget shown in Section III.

Utilities:

Water

The furnishing of water required for the irrigation of the landscaping and the maintenance of the ornamental structures and appurtenant facilities.

Electric

The furnishing of electricity required for the operation of the ornamental structures, landscaping, and appurtenant facilities.

Telephone

The furnishing of telephone service for irrigation controllers.

Maintenance Contracts

Costs associated with maintenance (labor, material, and equipment) includes all labor, material, and equipment required to properly maintain and service the ornamental structures, landscaping, and appurtenant facilities within the assessment district, including the maintenance and servicing of fencing and entry monuments. All improvements within the assessment district will be maintained and serviced on a regular basis. The frequency and specific maintenance operation required will be determined by County staff, but generally, the operations will occur weekly.

Contingency

Repairs that are unforeseen and not normally included in the yearly maintenance cost. This may include repair of damage due to vandalism, storms, and frost. Planned upgrades of the improvements that provide a direct benefit to the assessment district could also be included in renovation costs. Examples of upgrades are replacing plant materials and/or renovation irrigation systems.

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Annual Administrative/Inspection Costs

The cost of all County departmental staff for providing the coordination for maintenance and servicing, responding to public concerns, and levying and collecting assessments.

Reserves

Costs to upgrade and/or improve the existing landscaping or appurtenant facilities.

Attachment C: Tabulation of Budget Items

General/Special Benefit Analysis	Zone No. 69 (square feet)	Special Benefit % Zone No. 69	Special Benefit % Zone 68	General Benefit %
AREA TYPE				
Total Landscape Common Area	1,655,280	100%		
Total Brushed/Naturalized Common Area	1,219,680	100%		
Total LMD Sidewalk Area (east side of Copperhill project frontage only)	57,192	100%		
Total LMD Trail Area (including associated brushing/ naturalized common area)	354,820	25%	27%	48%
Total SF of maintenance areas	3,286,972			

COUNTY OF LOS ANGELES
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Budget Item	Rate per sq. ft. per year	Assessable Square foot	Special Benefit % for Zone 69	% Benefit Attributable to Residential Parcels	Special Benefit Cost to Zone 69 - Residential	General Benefit % for Zone 68 Trail	General Benefit Cost Trail
Utilities	\$0.043	3,286,972	100%	100%	\$139,696.31		\$0.00
Maintenance Contracts							
a. Landscaped common area	\$0.090	1,655,280	100%	100%	\$148,975.20		\$0.00
b. Brushing/Naturalized	\$0.020	1,219,680	100%	100%	\$24,393.60		\$0.00
c. Sidewalk maintenance and replacement	\$0.054	57,192	100%	100%	\$3,075.45		\$0.00
d. Trail maintenance and ac replacement	\$0.094	224,140	25%	100%	\$5,254.63	52%	\$10,929.63
e. Trail Brushing/Naturalized	\$0.020	130,680	25%	100%	\$653.40	52%	\$1,359.07
Administration/Inspection	\$0.048	3,286,972	100%	100%	\$156,131.17		\$0.00
Contingency	\$0.035	3,286,972	100%	100%	\$115,044.02		\$0.00
Reserves	\$0.015	3,286,972	100%	100%	\$49,304.58		\$0.00
2004/2005 Total Assessment:					\$642,528.36		\$12,288.71
Number of EDUs:					885.70		
Assessment Per EDU:					\$725.45		

February 2004

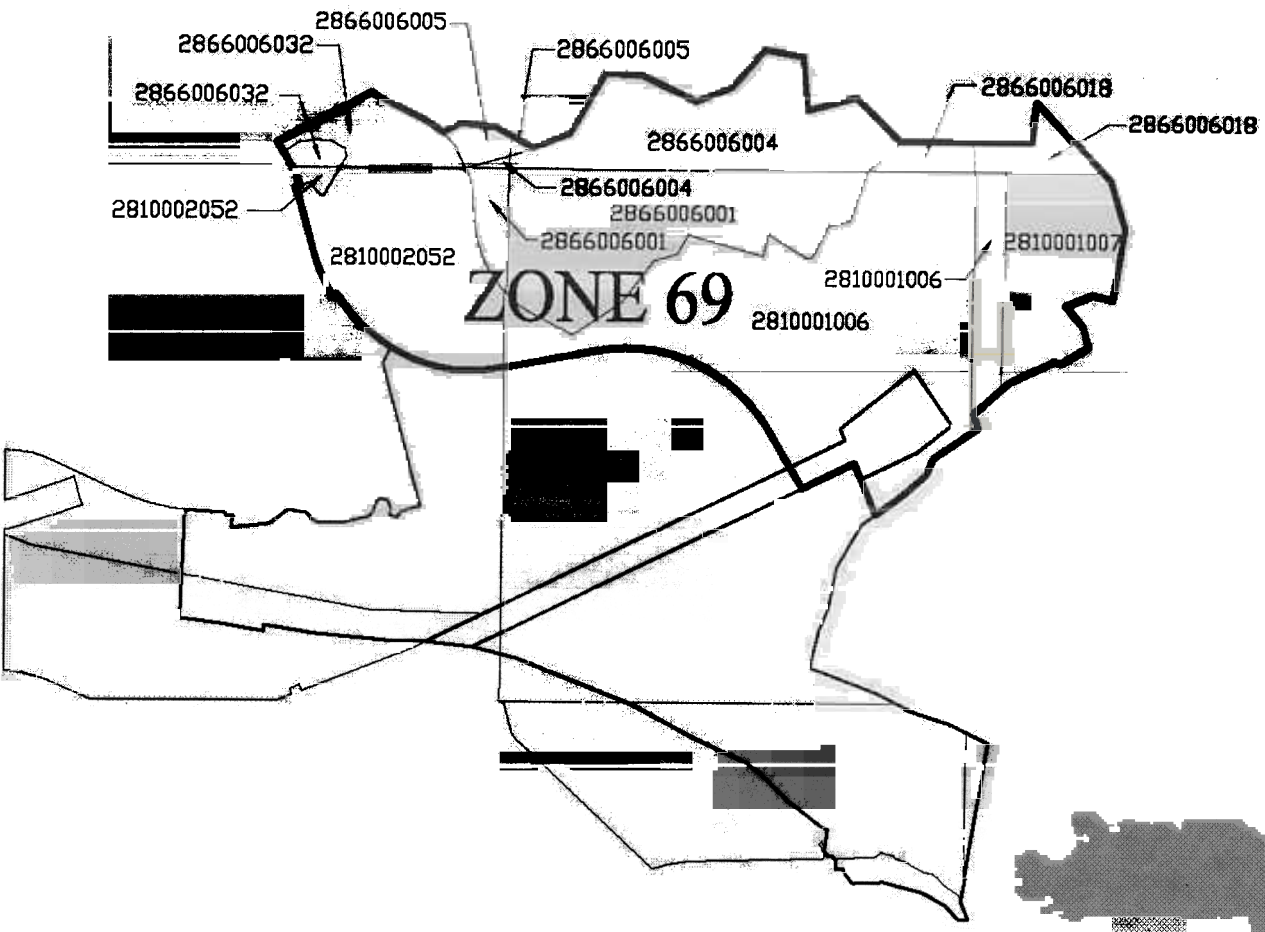
Engineer's Report
LLA District No. 4, Zone No. 69
West Creek Canyon Estates

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Projects which Contribute to General Benefit Portion of the River Trail		
Shea - Decoro Highlands	194	single family
	129	condos
Tesoro del Valle	1200	single family
	591	condos
Total	2114	

February 2004

Attachment D: Assessment Diagram



February 2004

Engineer's Report
L.A. District No. 4, Zone No. 69
West Creek Canyon Estates

Attachment F: Landowner Consent to Zone Formation

Valencia Company

A DIVISION OF THE NEWHALL LAND AND FARMING COMPANY

23823 Valencia Boulevard, Valencia, California 91355-2194 • (661) 255-4000

February 5, 2004

Ms. Ruth Roess
Los Angeles County Department of Parks and Recreation
Special Districts Section

Subject: ANNEXATION OF TERRITORY INTO
LLA DISTRICT 4, ZONE NO. 69

Dear Ms. Roess:

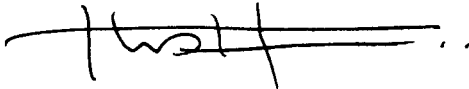
Newhall Land and Farming Company (A California Limited Partnership), as the sole owner of property, proposes to apply an Equivalent Dwelling Unit (EDU) assessment to territory within existing Lighting Act District No. 4, Zone No. 69– West Creek Canyon Estates.

Commencing with Fiscal Year 2004/2005, the amount of the assessment for the assessment district is proposed to increase annually, based on the Consumer Price Index, All Urban Consumer, for the Los Angeles-Anaheim-Riverside Area (CPI), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor.

We hereby give consent said method of assessment and CPI of the subject territory into said district.

Accompanying this request is an Engineer's Report, which supports the assessment proposed for LLA District No. 4, Zone No. 69 – West Creek Canyon Estates, as described above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Herren', with a stylized flourish at the end.

Keith Herren
Vice President, Residential Development

Attach: Engineers' Report
Eng Rprt Final.doc

